

United States District Court
CENTRAL DISTRICT OF ILLINOIS

DONAL MASCIO

v.

ROGER WALKER AND
EDDIE JONES.

APPLICATION TO PROCEED IN
FORMA PAUPERIS, SUPPORTING
DOCUMENTATION AND ORDER

CASE NUMBER:

I, DONALD MASCIO, declare that I am the (check appropriate box)

☒ petitioner/plaintiff

☐ movant (filing 28 U.S.C. 2255 motion)

☐ respondent/defendant

☐ _____ other

in the above-entitled proceeding; that, in support of my request to proceed without being required to prepay fees, cost or give security therefor, I state that because of my poverty, I am unable to pay the costs of said proceeding or give security therefor; that I believe I am entitled to relief. The nature of my action, defense, or other proceeding or the issues I intend to present on appeal are briefly stated as follows:

I AM QUALIFIED FOR IMMEDIATE RELEASE
AND THE DEFENDANTS HAVE FAILED TO
PROPERLY CALCULATE MY SENTENCE

In further support of this application, I answer the following questions.

1. Are you presently employed?

Yes ☐ No ☒

a. If the answer is "yes," state the amount of your salary or wages per month, and give the name and address of your employer. (list both gross and net salary)

NA

b. If the answer is "no," state the date of last employment and the amount of the salary and wages per month which you received.

06' \$10.00 PER MONTH APPROX

2. Have you received within the past twelve months any money from any of the following sources?

a. Business, profession or other form of self-employment

Yes ☐ No ☒

b. Rent payments, interest or dividends?

Yes ☐ No ☒

c. Pensions, annuities or life insurance payments?

Yes ☐ No ☒

d. Gifts or inheritances?

Yes ☒ No ☐

e. Any other sources?

Yes ☐ No ☒

1-C

\$10.00 SUMS - MOM

3. Do you own any cash, or do you have money in checking or savings accounts?

Yes ☒ No ☐ (Include any funds in prison accounts.)

If the answer is "yes," state the total value of the items owned.

SEE ATTACHED

4. Do you own or have any interest in any real estate, stocks, bonds, notes, automobiles or other valuable property (excluding ordinary household furnishings and clothing)?

Yes ☐ No ☒

If the answer is "yes," describe the property and state its approximate value.

N/A

5. List the persons who are dependent upon you for support, state your relationship to those persons, and indicate how much you contribute toward their support.

N/A

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 1-22-08
(Date)

X Donald Macio
Signature of Applicant

CERTIFICATE
(Prisoner Accounts Only)

I certify that the applicant named herein has the sum of \$ _____
on account to his credit at the _____
institution where he is confined. I further certify that the applicant likewise has the following securities to
his credit according to the records of said institution: _____

I further certify that during the last six months the applicant's average balance was \$ _____

Authorized Officer of Institution

ORDER OF COURT

The application is hereby denied

§

United States Judge Date

The application is hereby granted. Let the applicant proceed without prepayment of cost or fees or the necessity of giving security therefor.

United States Judge
or Magistrate Date

2-C

Time: 9:15am

Trust Fund

d_list_inmate_trans_statement_composite

Inmate Transaction Statement

REPORT CRITERIA - Date: 04/12/2007 thru End; Inmate: B15769; Active Status Only ? : No; Print Restrictions ? : Yes;
 Transaction Type: All Transaction Types; Print Furloughs / Restitutions ? : Yes; Include Inmate Totals ? : Yes; Print
 Balance Errors Only ? : No

Inmate: B15769 Mascio, Donald

Housing Unit: PON-N -03-04

| Date | Source | Transaction Type | Batch | Reference # | Description | Amount | Balance |
|--------------------|---------------|----------------------------|--------|-------------|--|--------|---------|
| Beginning Balance: | | | | | | | 50.11 |
| 04/17/07 | Mail Room | 01 MO/Checks (Not Held) | 107225 | 1066907 | Mascio, Mary | 10.00 | 60.11 |
| 04/17/07 | Mail Room | 04 Intake and Transfers In | 107225 | 28896 | Vandalia C.C. | -4.16 | 55.95 |
| 04/24/07 | Mail Room | 04 Intake and Transfers In | 114225 | 28981 | Vandalia C.C. | 1.36 | 57.31 |
| 05/04/07 | Mail Room | 01 MO/Checks (Not Held) | 124262 | P1071276 | Mascio, Mary | 10.00 | 67.31 |
| 05/16/07 | Disbursements | 84 Library | 136320 | Chk #63150 | 507100, DOC - Library Copies, Inv. Date: 05/08/2007 | -35 | 66.96 |
| 05/16/07 | Disbursements | 84 Library | 136320 | Chk #63150 | 507104, DOC - Library Copies, Inv. Date: 05/08/2007 | -35 | 66.61 |
| 05/16/07 | Disbursements | 84 Library | 136320 | Chk #63150 | 507074, DOC - Library Copies, Inv. Date: 05/08/2007 | -45 | 66.16 |
| 05/16/07 | Disbursements | 84 Library | 136320 | Chk #63150 | 505909, DOC - Library Copies, Inv. Date: 04/25/2007 | -1.55 | 64.61 |
| 05/16/07 | Disbursements | 90 Medical Co-Pay | 136320 | Chk #63151 | 507467, DOC: 523 Fund Reimburs, Inv. Date: 05/10/2007 | -2.00 | 62.61 |
| 05/16/07 | Disbursements | 90 Medical Co-Pay | 136320 | Chk #63151 | 505789, DOC: 523 Fund Reimburs, Inv. Date: 04/24/2007 | -2.00 | 60.61 |
| 05/16/07 | Disbursements | 90 Medical Co-Pay | 136320 | Chk #63151 | 505338, DOC: 523 Fund Reimburs, Inv. Date: 04/18/2007 | -2.00 | 58.61 |
| 05/16/07 | Disbursements | 80 Postage | 136320 | Chk #63152 | 507693, Pitney Bowes Bank, Inc, Inv. Date: 05/11/2007 | -1.11 | 57.50 |
| 05/16/07 | Disbursements | 80 Postage | 136320 | Chk #63152 | 505825, Pitney Bowes Bank, Inc, Inv. Date: 04/24/2007 | -1.59 | 55.91 |
| 05/16/07 | Disbursements | 80 Postage | 136320 | Chk #63152 | 505266, Pitney Bowes Bank, Inc, Inv. Date: 04/17/2007 | -2.79 | 53.12 |
| 05/23/07 | Point of Sale | 60 Commissary | 143731 | 244613 | Commissary | -14.22 | 38.90 |
| 05/24/07 | Point of Sale | 60 Commissary | 144731 | 244742 | Commissary | 13.07 | 51.97 |
| 06/14/07 | Disbursements | 90 Medical Co-Pay | 165320 | Chk #63452 | 508998, DOC: 523 Fund Reimburs, Inv. Date: 05/29/2007 | -2.00 | 49.97 |
| 06/14/07 | Disbursements | 90 Medical Co-Pay | 165320 | Chk #63452 | 508673, DOC: 523 Fund Reimburs, Inv. Date: 05/23/2007 | -2.00 | 47.97 |
| 06/14/07 | Disbursements | 90 Medical Co-Pay | 165320 | Chk #63452 | 508408, DOC: 523 Fund Reimburs, Inv. Date: 05/21/2007 | -2.00 | 45.97 |
| 07/30/07 | Disbursements | 99 Transfer Inmate | 211320 | Chk #63937 | Menard CC, Inv. Date: 07/30/2007 | -45.97 | .00 |
| 09/14/07 | Mail Room | 01 MO/Checks (Not Held) | 257262 | 710528 | Mascio, Mary | 10.00 | 10.00 |
| 10/10/07 | Mail Room | 04 Intake and Transfers In | 283225 | 82044 | Menard C.C. | 12.37 | 22.37 |
| 10/11/07 | Mail Room | 01 MO/Checks (Not Held) | 284225 | 725665 | Mascio, Mary | 10.00 | 32.37 |

Total Inmate Funds: 32.37

Less Funds Held For Orders: .00

Less Funds Restricted: 13.34

Funds Available: 19.03

Total Furloughs: .00

Total Voluntary Restitutions: .00

RESTRICTIONS

| Invoice Date | Invoice Number | Type | Description | Vendor | Amount |
|--------------|----------------|------|---------------|------------------------------|--------|
| 09/20/2007 | 518224 | Disb | Legal Postage | 6967 Pitney Bowes Bank, Inc. | \$0.80 |

IN THE
UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS

DONALD MASCO (B15769),
Plaintiff,

)
) Case No. _____
)

v.
ROGER WALKER & Eddie Jones,
Defendants

PROOF/CERTIFICATE OF SERVICE/NOTICE OF FILING

TO: _____

TO: LISA MADIGAN
IL. ATTORNEY GENERAL
500 S. SECOND ST.
Springfield, IL.
62706

PLEASE TAKE NOTICE that on JANUARY 22, 2008, I have placed the documents listed below in the institutional mail at PONTIAC Correctional Center, properly addressed to the parties listed above for mailing through the ~~United States Postal~~ E-FILE Service: _____

FEDERAL HABEAS CORPUS
MOTION TO Proceed IN FORMA PAUPERIS & MOTION FOR
APPOINTMENT OF COUNSEL

Pursuant to 28 USC 1746, 18 USC 1621 or 735 ILCS 5/109, I declare, under penalty of perjury, that I am a named party in the above action, that I have read the above documents, and that the information contained therein is true and correct to the best of my knowledge.

DATE: 1-22-08

/s/ X Donald Masco
NAME: DONALD MASCO
IDOC#: B15769
PONTIAC Correctional Center
P.O. BOX 99
PONTIAC, IL 61764

I, DONALD MASCIO, the undersigned, certify and state that:

1. I am the (Petitioner) (Petitioner/Respondent) in the above captioned legal matter.
2. I have read the foregoing application and have knowledge of its contents;

and

3. Under penalties as provided by law pursuant to sec. 1-109 of the Code of Civil Procedure,

I certify that the statements set forth in the foregoing motion and this affidavit are true
and correct except as to matters therein stated to be on information and belief, and as
to such matters I certify that I believe the same to be true.

X Donald Mascio
(Your signature)

ORDER

The foregoing application is:

_____ Granted

_____ Denied

Judge ~~Dist.~~ Court